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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Satoshi TORII et al.**

Group Art Unit: **2818**

Serial No.: **10/618,712**

Examiner: **Hoai V. Ho**

Filed: **July 15, 2003**

Confirmation No.: **4931**

For: **NON-VOLATILE SEMICONDUCTOR MEMORY AND METHOD OF
OPERATING THE SAME**

Attorney Docket Number: **030842**

Customer Number: **38834**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

October 14, 2004

Sir:

This paper is submitted in response to the Official Action dated September 15, 2004.

In the Action, restriction is required between Group I, Claims 1-10; Group II, Claims 11-14; and Group III, Claims 15-18.

Applicant hereby elects the subject matter of Group I, Claims 1-10 for prosecution in this application. This election is made without traverse, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

Response to Restriction Requirement

Serial No. 10/618,712

Attorney Docket No. 030842

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



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